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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/519,893	01/23/2006	Sten Lannerstrom	502.1126USN	9827
33369	7590	11/30/2006	EXAMINER	
FASTH LAW OFFICES (ROLF FASTH) 26 PINECREST PLAZA, SUITE 2 SOUTHERN PINES, NC 28387-4301			PORTIS, SHANTELL L	
			ART UNIT	PAPER NUMBER
			2617	
DATE MAILED: 11/30/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/519,893	LANNERSTROM, STEN
	<b>Examiner</b>	<b>Art Unit</b>
	Shantell Portis	2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 October 2006.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 29 December 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a) All
    - b) Some \*
    - c) None of:
      1. Certified copies of the priority documents have been received.
      2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
      3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                      |                                                                   |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .                                                        | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Response to Arguments***

Applicant's arguments filed October 4, 2006 have been fully considered but they are not persuasive. The applicant argues that ***nowhere in Wilcock et al. does he teach or suggest taking a digital image of the user and requiring the user to create a digital signature by digitally signing the location date and then having the combination of the digital image and the signed location data time stamped by a third party to prove that the user was present at the location at the certain time.***

Wilcock et al. discloses data associated with each digital photo (inherently can include a photo of the user) such as a timestamp, camera ID and user ID (meta data) where each could be used as the digital signature. The meta data along with location data is attached to each digital photo and sent to album program 50 (Col. 3, lines 48-63). Both the digital photo and location data are time-stamped once received by album program 50 (inherently proves that the user was present at a location associated with the photo at the time) (Col. 13, lines 9-18 and lines 63-67). Therefore, the examiner maintains the rejection as set forth below.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 and 9-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilcock et al. (Wilcock), U.S. Patent No. 6,741,864.

Regarding Claim 1, Wilcock discloses a method in a mobile telecommunication network for obtaining location and time information about users, the telecommunication network comprising one or more user terminals, a service entity, a time-stamp server and an operator, the method comprising the following steps: a) creating a digital image of the user disposed at a location at a certain time (Col. 9, lines 31-44), b) storing the digital image in a user terminal disposed at the location at the certain time (Col. 9, lines 31-44), c) retrieving location data of the location from the user terminal (Col. 9, lines 45-56), d) the user creating a digital signature of the user by digitally signing the location data of the location in the user terminal (inherent when the location data 98 is transferred to the camera 3-Col. 9, lines 45-56), e) distributing a combination of the digital image and the signed location data to a third party (album program 50) for time-stamping (inherent when the image data and location data is sent to the album program 50-Col. 3, lines 48-63; Col. 13, lines 9-18 and Col. 13, lines 63-67), and f) the third-party time-stamping the signed combination with a time stamp to prove that the user was present at the location at the time of the time stamp (Col. 3, lines 48-63; Col. 13, lines 9-18 and Col. 13, lines 63-67).

Regarding Claim 2, Wilcock discloses the method according to claim 1 wherein the digital signing is performed after step c), and whereafter the combination of signed content and location data is time-stamped (Col. 13, lines 63-67).

Regarding Claim 3, Wilcock discloses the method according to claim 1 wherein the digital image is created in step a) is a text file or a voice message (Col. 11, lines 49-54).

Regarding Claim 4, Wilcock discloses the method according to claim 1 wherein the digital image is created in step a) by taking a picture with a digital camera (Col. 9, lines 31-38).

Regarding Claim 5, Wilcock discloses the method of claim 4 wherein the digital camera is linked with a mobile device that directly receives the picture (Col. 10, lines 11-16).

Regarding Claim 6, Wilcock discloses the method of claim 4 wherein the digital camera is a separate network element and the picture taken by the digital camera is downloaded to a work-station and thereafter sent to a mobile station (Col. 9, lines 31-44 and Col. 10, lines 11-16).

Regarding Claim 9, Wilcock discloses the method according to claim 1 wherein location data is retrieved from the user terminal during a signature process as an attribute, which is separately signed (Col. 9, lines 45-56 and Col. 12, lines 49-67).

Regarding Claim 10, Wilcock discloses the method according to claim 1 wherein the location data is translated to understandable geographical data before the location data are signed (Col. 6, lines 14-27).

Regarding Claim 11, Wilcock discloses the method according to claim 1 wherein

the signed combination is distributed to a work-station for time-stamping (the image data and location data is sent to the album program 50-Col. 3, lines 48-63; Col. 13, lines 9-18 and Col. 13, lines 63-67).

Regarding Claim 12, Wilcock discloses the method according to claim 1 wherein the location data is retrieved from the user terminal over-the-air through an application residing in a work-station (Col. 9, line 45-Col. 10, line 7).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wilcock in view of Vatanen, U.S. Publication No. 2003/0008637.

Regarding Claim 7, Wilcock discloses the method according to claim 1 as described above.

However, Wilcock fails to disclose wherein the digital signature is performed in step c) with a user's private key stored in the user terminal.

In a similar field of endeavor, Vatanen discloses a system and method for implementing secure mobile-based transactions in a telecommunication system.

Vatanen further discloses wherein the digital signature is performed in step c) with a user's private key stored in the user terminal [0030].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to improve the security of transactions carried out using a mobile station [0035].

Regarding Claim 8, Wilcock discloses the method according to claim 7 as described above.

Wilcock fails to disclose wherein a PIN code is entered by the user to access the private key.

Vatanen discloses wherein a PIN code is entered by the user to access the private key [0031].

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to improve the security of transactions carried out using a mobile station [0035].

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Aarnio, U.S. Patent No. 6,522,889 discloses a method and apparatus for providing precise location information through a communications network.

Squibbs, U.S. Patent No. 6,914,626 discloses a location-informed camera.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shantell Portis whose telephone number is 571-272-0886. The examiner can normally be reached on Monday-Friday 7:00am-3:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
SLP

  
LESTER G. KINCAID  
SUPERVISORY PRIMARY EXAMINER